

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
MEDEQUA LLC,

Plaintiff,

v.

O'NEILL & PARTNERS LLC,

Defendant.
----- X

ORDER

21 Civ. 6135 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

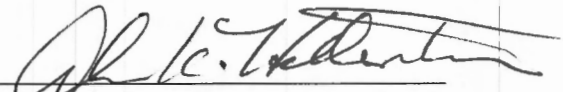
Medequa LLC brought this action against O'Neill & Partners LLC. The alleged basis for federal jurisdiction is diversity of citizenship, pursuant to 28 U.S.C. § 1332. According to the complaint, Plaintiff is a limited liability company organized under the laws of Pennsylvania, with its principal place of business in Pennsylvania, and Defendant is a limited liability company organized under the laws of Maryland, with its principal place of business in Maryland. *See* Compl. at ¶¶ 5, 6.

Limited liability companies are deemed to be citizens of all the states in which their constituents are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51 (2d Cir. 2000) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990)); *see also Americold Realty Trust v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1014 (2016) ("While humans and corporations can assert their own citizenship, other entities take the citizenship of their members."). Plaintiff has failed to identify the members of either Plaintiff Medequa or Defendant O'Neill and allege their citizenship.

The action is therefore dismissed, with leave to re-plead an adequate basis of diverse citizenship by August 24, 2021. The hearing scheduled for August 4, 2021, is canceled.

SO ORDERED.

Dated: August 3, 2021
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge